

SPECIAL MEETING OF THE
OKLAHOMA WORKERS' COMPENSATION
COMMISSION

APPEALS

Wednesday February 24, 2016
1:30 p.m.
Commission Chambers
1915 N. Stiles Ave.
Oklahoma City, Oklahoma
www.wcc.ok.gov

AGENDA

- CALL TO ORDER Presiding Appellate Officer, Chairman Gilliland**
ROLL CALL Presiding Appellate Officer, Chairman Gilliland
NOTICE OF COMPLIANCE.....Dana Esparza
BUSINESS Presiding Appellate Officer, Chairman Gilliland

A. MINUTES:

- The drafted Minutes of the Special Meeting of January 29, 2016 will be considered for approval.

THE FOLLOWING MATTERS ARE PRESENTED FOR CONSIDERATION AND ACTION, IF ANY, DEEMED APPROPRIATE BY THE COMMISSION

B. Appeal Hearings before the Commission En Banc from Adverse Benefit Determinations issued pursuant to the Oklahoma Employee Injury Benefit Act in the following cases:

The hearings before the Commission en banc will be conducted pursuant to the authority and jurisdiction of the Administrative Workers' Compensation Act, Title 85A O.S. §1 et seq., the Oklahoma Employee Injury Benefit Act, Title 85A O.S. §200 et seq., and the Workers' Compensation Commission's Permanent Rules, OAC 810. The procedure for the hearings before the Commission en banc is as follows:

- Each party will be allowed thirty (30) minutes for oral arguments.

- The appellant will present first. Appellant may divide his or her thirty minutes for argument, allowing a portion of that time for rebuttal.
- Both parties are subject to questioning by Commissioners.

1. Jonnie Yvonne Vasquez v. Dillard’s Department Store Inc., (QE #864529) File #CM2014-11060L

Claimant filed a Request for Review of an Adverse Benefit Determination that was upheld by the Qualified Employer’s Internal Appeals Committee, pursuant to 85A O.S. §211. Respondent filed a Motion for Summary Judgment. John R. Colbert & Bob Burke are the attorneys of record for the Claimant. Amy D. White and G. Calvin Sharpe are the attorneys of record for the Respondent.

Possible Action:

Possible action may include but is not limited to: taking no action; voting to grant or deny Motion for Summary Judgment; taking matter under advisement; or continuing the matter to be set for determination at a future meeting.

2. Judy May Pilkington v. Dillard’s Department Store Inc., (QE #864529) & Safety National Casualty Corp., File #CM2014-10257K

Claimant filed a Request for Review of an Adverse Benefit Determination that was upheld by the Qualified Employer’s Internal Appeals Committee, pursuant to 85A O.S. §211. Respondent filed a Motion for Summary Judgment. Brandon Burton & Bob Burke are the attorneys of record for the Claimant. Barry Zlotogura, Amy D. White and G. Calvin Sharpe are the attorneys of record for the Respondent.

Possible Action:

Possible action may include but is not limited to: taking no action; voting to grant or deny Motion for Summary Judgment; taking matter under advisement; or continuing the matter to be set for determination at a future meeting.

C. Commission Consideration of Adoption of Final Order in the Following Case:

Loretta J. Clay v. First Call Medical Inc., & QBE Insurance Corp., File #CM2015-00391K

Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. Bret A. Unterschuetz represented the Claimant and Nichole S. Bryant represented the Respondent.

Motion: After the parties announced agreement to vacate, Presiding Appellate Officer Chairman Gilliland moved to vacate the Administrative Law Judge's Order and authorize the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

Possible Action:

Possible action may include, but is not limited to: taking no action, adopting the order as proposed or as modified at the hearing, or continuing the matter.

D. Announcements

Commission's next regularly scheduled meeting is Thursday, March 3, 2016. Commission's next Special Meeting regarding Appeals is scheduled for Friday, February 26, 2016.

ADJOURNMENT.....Presiding Appellate Officer, Chairman Gilliland